

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CAREY M. KING,

Plaintiff,

V.

STATE OF OKLAHOMA, et al.,

Defendants.

Case No. CIV-23-1141-PRW

ORDER

Before the Court is Magistrate Judge Suzanne Mitchell's Report & Recommendation (Dkt. 11), recommending that this case be dismissed without prejudice. Plaintiff Carey M. King filed no objections to the Report & Recommendation.

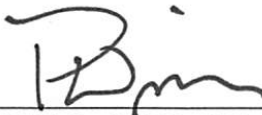
Plaintiff King's initial pro se Complaint (Dkt. 1) listed twelve other proposed Plaintiffs but was signed only by Plaintiff King.¹ Noting that Federal Rule of Civil Procedure 11(a) requires all unrepresented parties to personally sign on to a pleading, Judge Mitchell ordered Plaintiff King to either submit an amended complaint that was signed by all named Plaintiffs or submit an amended complaint with the other Plaintiffs' names stricken. (Dkt. 7). Plaintiff King thereafter filed a new Motion for Leave to Proceed *In Forma Pauperis* (Dkt. 8) but failed to file an amended complaint in accordance with Judge Mitchell's Order.

¹ Pl.'s Compl. (Dkt. 1), at 15.

Judge Mitchell then filed her Report & Recommendation (Dkt. 11), recommending dismissal for Plaintiff King's failure to comply with a court order, pursuant to Federal Rule of Civil Procedure 41(b). As noted above, Plaintiff King filed no objections. Rather than filing an amended complaint in accordance with Judge Mitchell's clear instructions, Plaintiff King has filed a series of documents styled "Motion to File an Amended Complaint," (Dkts. 16, 17, 22). These "motions" request that the Court add and remove various plaintiffs and defendants from those listed in the initial Complaint (Dkt. 1). At a glance, there would now appear to be approximately fifty purported plaintiffs squaring off against three-hundred or so defendants. None of the purported plaintiffs have signed off on these "motions" or onto an amended complaint as required by Rule 11(a). Plaintiff King provides contact information for several purported plaintiffs under the apparent notion that the Court will track them down and collect their signatures. Needless to say, the onus to prosecute this case, and to comply with court orders, falls squarely on Plaintiff King.

Having reviewed the record and the relevant law *de novo*, the Court agrees with the reasoning and conclusions of the Report & Recommendation (Dkt 11). Accordingly, the Court **ADOPTS** Magistrate Judge Mitchell's Report & Recommendation (Dkt. 11). The Complaint (Dkt. 1) is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED this 19th day of March 2024.



PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE